PTO/SB/25 (11-07)
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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING	Docket Number (Optional)
REJECTION OVER A PENDING "REFERENCE" APPLICATION	20269/1201776-US2
In re Application of: Jay D. Kranzler et al.	
Application No.: 10/623,431-Conf. #4067	
Filed: July 18, 2003	
For: METHODS OF TREATING FIBROMYALGIA SYNDROME, CHRONIC FATIGUE SYNDROME AND PAIN	
The owner*, Cypress Bioscience, Inc. percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Nos. 11/535,237 , filed on September 26, 2006 , 11/752,213, filed on May 22, 2007, and 11/835,620, filed on August 8, 2007, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference applications may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.	
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2. X The undersigned is an attorney or agent of record. Red No. 52,392	
1/1 M 6/	December 14, 2007
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Paul M. Zagar Typed or printed name	<u> </u>
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